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Washington, Thursday, November 6, 1947

**TITLE 3—THE PRESIDENT**  
**Chapter IX—Designation of Officials**  
[DESIGNATION OF ACTING HOUSING  
EXPEDITER]

**ORDER**

Tighe E. Woods is hereby designated to  
serve as Acting Housing Expediter.

HARRY S. TRUMAN

THE WHITE HOUSE,  
November 1, 1947

[F. R. Doc. 47-9949; Filed, Nov. 5, 1947;  
10:31 a. m.]

**TITLE 49—TRANSPORTATION  
AND RAILROADS**

**Chapter I—Interstate Commerce  
Commission**

**PART 110—DESTRUCTION OF RECORDS**

**LIST OF ACCOUNTS, RECORDS, AND MEMO-  
RANDA, AND PERIODS OF RETENTION**

**CROSS REFERENCE:** For the redesigna-  
tion of § 113.1 as § 110.49, see Part 113  
of this chapter, *infra*.

**PART 113—SLEEPING CAR COMPANIES; LIST  
OF RECORDS**

**LIST OF ACCOUNTS, RECORDS, AND MEMO-  
RANDA, AND PERIODS OF RETENTION**

NOVEMBER 3, 1947.

By order dated May 10, 1920 (49 CFR,  
110 Subpart C), the "Regulations to Gov-  
ern the Destruction of Records of Sleep-  
ing Car Companies, Issue of 1920," were  
prescribed. When published in the First  
Edition of the Code of Federal Regula-  
tions, the section of these regulations  
which listed accounts, records, and mem-  
oranda, and prescribed periods of reten-  
tion for each such list, was designated  
Part 113 of this title.

Notice is hereby given that Part 113 is  
canceled and, without change in title or  
substance, § 113.1 *List of accounts, rec-  
ords, and memoranda, and periods of re-  
tention* is redesignated § 110.49.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-9875; Filed, Nov. 5, 1947;  
8:55 a. m.]

**PROPOSED RULE MAKING**

**TREASURY DEPARTMENT**

**Bureau of Internal Revenue**

**126 CFR, Part 861**

**GIFT TAX; RELEASE OF POWERS OF AP-  
POINTMENT AND RELINQUISHMENT OF  
POWER OR CONTROL UNDER CERTAIN  
DISCRETIONARY TRUSTS**

**NOTICE OF PROPOSED RULE MAKING**

Notice is hereby given, pursuant to the  
Administrative Procedure Act, approved  
June 11, 1946, that the regulations set  
forth in tentative form in the attached  
appendix are proposed to be prescribed  
by the Commissioner of Internal Reve-  
nue, with the approval of the Secretary  
of the Treasury. Prior to the final adop-  
tion of such regulations, consideration  
will be given to any data, views, or argu-  
ments pertaining thereto which are sub-  
mitted in writing in duplicate to the

Commissioner of Internal Revenue,  
Washington 25, D. C., within the period  
of 30 days from the date of publication  
of this notice in the **FEDERAL REGISTER**.  
The proposed regulations are to be issued  
under the authority of sections 1029 and  
3791 of the Internal Revenue Code (53  
Stat. 157, 467; 26 U. S. C. 1029, 3791) and  
pursuant to the provisions of Public Law  
112 (80th Congress, 1st Session), ap-  
proved June 25, 1947.

[SEAL]

GEO. J. SCHOENELIAN,  
Commissioner of Internal Revenue.

Regulations 108 amended to conform  
to Public Law 112 (80th Congress), relat-  
ing to release of powers of appointment  
and relinquishment of power or control  
under certain discretionary trusts.

In order to conform Regulations 108  
(26 CFR, Part 86) to Public Law 112  
(80th Cong., 1st Session) approved June

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## 1946 SUPPLEMENT to the CODE OF FEDERAL REGULATIONS

The following books are now available:

**Book 1** Titles 1 through 8, including, in Title 3, Presidential documents in full text with appropriate reference tables and index.

**Book 2:** Titles 9 through 20.

**Book 3:** Titles 21 through 31.

**Book 4:** Titles 32 through 37.

**Book 5:** Titles 38 through 48.

These books may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D. C., at \$3.50 per copy.

A limited sales stock of the 1945 Supplement (4 books) is still available at \$3 a book.

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25, 1947, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately following section 502 of the Revenue Act of 1943, which was inserted in such regulations by Treasury Decision 5366, approved May 5, 1944, and preceding § 86.1, the following:

PUBLIC LAW 112 (80TH CONGRESS, 1ST SESSION), APPROVED JUNE 25, 1947

SEC. 2. (a) Section 1000 (e) of the Internal Revenue Code (relating to certain discretionary trusts) is hereby amended by striking out "prior to January 1, 1945," and inserting in lieu thereof "on or before December 31, 1947 (or on a later date in any case where it is shown to the satisfaction of the Commissioner, in accordance with regulations prescribed by him with the approval of the Secretary, that failure to relinquish

prior to such later date was for reasonable cause)"

(b) If any amount paid prior to the date of the enactment of this joint resolution constitutes an overpayment of gift tax solely by reason of the amendment made by this section, no interest shall be allowed or paid with respect to the amount of such overpayment.

PAR. 2. There is inserted immediately following Public Law 393 (79th Congress, 2d Session) which was inserted in such regulations by Treasury Decision 5524, approved July 2, 1946, and immediately preceding § 86.1, the following:

PUBLIC LAW 112 (80TH CONGRESS, 1ST SESSION), APPROVED JUNE 25, 1947

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That \* \* \* section 452 (o) of the Revenue Act of 1942 is hereby amended to read as follows:

(c) Release before July 1, 1948. (1) A release of a power to appoint before July 1, 1948, shall not be deemed a transfer of property by the individual possessing such power.

(2) This subsection shall apply to all calendar years prior to 1948 and to that part of the calendar year 1948 prior to July 1, 1948.

PAR. 3. Section 86.1 is amended by striking from the second sentence "March 1, 1944" and inserting in lieu thereof "July 1, 1948"

PAR. 4. Section 86.2 (b), as amended by Treasury Decision 5524, approved July 2, 1946, is further amended as follows:

(A) By striking out "July 1, 1947" wherever it appears and inserting in lieu thereof "July 1, 1948"

(B) By striking out "as amended by Public Law 393 (79th Congress), approved May 29, 1946" wherever it appears and inserting in lieu thereof "as amended by Public Law 112 (80th Congress) approved June 25, 1947"

PAR. 5. Section 86.3, as amended by Treasury Decision 5366, approved May 5, 1944, is further amended by changing the last paragraph to read as follows:

§ 86.3 Cessation of donor's dominion and control. \* \* \*

Section 1000 (e) as added by section 502 of the Revenue Act of 1943 and amended by Public Law 112, Eightieth Congress, provides in the case of property transferred in trust before January 1, 1939, under which the grantor, on and after such date, retained no power to revest title to such property in himself, exercisable by the grantor alone or in conjunction with any other person not having a substantial adverse interest in the disposition of such property or the income therefrom, that the relinquishment by the grantor on or after January 1, 1940, and prior to January 1, 1948 (or on a later date if it is shown to the satisfaction of the Commissioner, whose determination therein shall be conclusive, that failure to relinquish prior to such later date was for reasonable cause) by an exercise or other termination, of a power to change the disposition of the trust property, which completes the gift thereof, shall not be treated as a gift for the purposes of the gift tax statute. However, if the property had been transferred in trust without the grantor retaining power to re-

## DEPARTMENT OF THE ARMY

## Corps of Engineers

## 133 CFR, Part 201

## GENERAL REGULATIONS

## NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that, pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1) the Department of the Army proposes to revoke the general regulations contained in 33 CFR, Part 201 (§§ 201.0 to 201.16, inclusive) and substitute the following §§ 201.1 to 201.16, in lieu thereof:

§ 201.1 *Scope and applicability of regulations.* (a) The regulations contained in this part govern lights and day signals to be displayed by towing vessels with tows on which no signals can be displayed, vessels working on wrecks, dredges, and vessels engaged in laying cables or pipe or in submarine or bank protection operations, day signals to be displayed by vessels of more than 65 feet in length moored or anchored in a fairway or channel, and lights to be displayed on dredge pipe lines (§§ 201.2 to 201.9, inclusive) and the passing by other vessels of floating plant working in navigable channels (§§ 201.10 to 201.16, inclusive).

(b) The regulations contained in this part apply to the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries ("Western Rivers") and to the Great Lakes and their connecting and tributary waters as far east as Montreal ("Great Lakes"). Similar Coast Guard regulations, applicable to the harbors, rivers, and inland waters of the United States except the "Western Rivers" and the "Great Lakes," are contained in §§ 312.18 to 312.31a, inclusive, of this title.

§ 201.2 *Lights and day signals; signals to be displayed by a towing vessel when towing a submerged or partly submerged object upon a hawser when no signals can be displayed upon the object which is towed.* (a) The vessel having the submerged object in tow shall display by day, where they can best be seen, two shapes, one above the other, not less than six feet apart, the lower shape to be carried not less than 10 feet above the deckhouse. The shapes shall be in the form of a double frustum of a cone, base to base, not less than two feet in diameter at the center nor less than eight inches at the ends of the cones, and to be not less than four feet lengthwise from end to end, the upper shape to be painted in alternate horizontal stripes of black and white, eight inches in width, and the lower shape to be painted a solid bright red.

(b) By night the towing vessel shall display the regular side lights, but in lieu of the regular white towing lights shall display four lights in a vertical position not less than three feet nor more than six feet apart, the upper and lower of such lights to be white, and the two middle lights to be red, all of such lights to be of the same character as the regular towing lights.

§ 201.3 *Steamers, derrick boats, lighters, or other types of vessels made fast alongside a wreck, or moored over a wreck which is on the bottom or partly submerged, or which may be drifting.*

(a) Steamers, derrick boats, lighters, or other types of vessels made fast alongside a wreck, or moored over a wreck which is on the bottom or partly submerged, or which may be drifting, shall display by day two shapes of the same character and dimensions and displayed in the same manner as required by § 201.2, except that both shapes shall be painted a solid bright red, but where more than one vessel is working under the above conditions, the shapes need be displayed only from one vessel on each side of the wreck from which they can best be seen from all directions.

(b) By night this situation shall be indicated by the display of a white light from the bow and stern of each outside vessel or lighter not less than six feet above the deck, and in addition thereto there shall be displayed in a position where they can best be seen from all directions two red lights carried in a vertical line not less than three feet nor more than six feet apart, and not less than 15 feet above the deck.

§ 201.4 *Dredges held in stationary position by moorings or spuds.* (a) Dredges which are held in stationary position by moorings or spuds shall display by day two red balls not less than two feet in diameter and carried in a vertical line not less than three feet nor more than six feet apart, and at least 15 feet above the deckhouse and in a position where they can best be seen from all directions.

(b) By night they shall display a white light at each corner, not less than six feet above the deck, and in addition thereto there shall be displayed in a position where they can best be seen from all directions two red lights carried in a vertical line not less than three feet nor more than six feet apart, and not less than 15 feet above the deck. When scows are moored alongside a dredge in the foregoing situation they shall display a white light on each outboard corner, not less than six feet above the deck.

§ 201.5 *Self-propelling suction dredges under way and engaged in dredging operations.* (a) Self-propelling suction dredges under way and engaged in dredging operations (the term "dredging operations" shall include maneuvering into or out of position at the dredging site, but shall not include moving to and from the site) shall display by day two black balls not less than two feet in diameter and carried in a vertical line not less than 15 feet above the deckhouse, and where they can best be seen from all directions.

(b) By night they shall carry, in addition to the regular running lights, two red lights of the same character as and in a vertical line beneath the white masthead light, the red lights to be not less than three feet nor more than six feet apart and the upper red light to be not less than four feet nor more than six feet below the masthead light, and on or

vest title to the property in himself, or if such power previously retained had been relinquished, while a Federal gift tax statute was in effect, the exemption provided by section 1000 (e) shall apply only if (1) gift tax had been paid with respect to such prior transfer or relinquishment, and not credited or refunded, or a gift tax return had been filed within the time prescribed on account of such prior transfer or relinquishment but no gift tax paid because of deductions or exclusions claimed on such return, and (2) the grantor agrees in writing to continue to treat such prior transfer or relinquishment as completing the gift for all purposes of the gift tax statute except as hereinafter indicated with respect to income. Upon submission of such written agreement, the Commissioner may make any necessary redetermination of the amount of, the net gifts for such prior year, and, unless assessment is barred by statutory limitations or rule of law, assert any resulting deficiency tax. The exemption provided by section 1000 (e) shall not apply to any payment or other disposition of income while the grantor retains the power of disposition of the future income from the trust property. For example, if a donor created a trust in 1930, reserving a power to change the beneficiaries and their proportionate interests with respect to principal and income, but without retaining the power to re-vest the property in himself, and terminates his reserved power in 1947, so that he is no longer able to change the beneficiaries or their respective interests, the interim payment of income to any beneficiary or other surrender by the donor of control over such income prior to such termination is nevertheless a taxable gift and to be treated accordingly. The same result follows if a similar trust was created while a gift tax law was in effect and the donor, prior to January 1, 1948, terminated the aforesaid reserved power, consenting to treat the original transfer in trust in the calendar year in which effected and for all periods thereafter as having been a transfer subject to gift tax. In case a power of disposition is relinquished after December 31, 1947, the question whether failure to relinquish at an earlier date was for reasonable cause must necessarily depend upon all relevant facts and circumstances. Reasonable cause, for example, may consist of a disability which seriously limits the opportunity for effecting a relinquishment prior to January 1, 1948. It may also consist of an excusable lack of knowledge of the existence of the power or of its significance in relation to the gift tax law, or of a lack of knowledge of the provisions of section 1000 (e) excepting from gift tax consequences a relinquishment of the power prior to January 1, 1948. However, a failure to relinquish due to neglect or to unwillingness to abandon the advantages of the power until some later date would not be for reasonable cause. No interest shall be allowed or paid on any overpayment resulting from the application of the exemption provided by section 1000 (e).

[F. R. Doc. 47-9877; Filed, Nov. 5, 1947; 8:55 a. m.]

near the stern two red lights in a vertical line not less than four feet nor more than six feet apart, to show through four points of the compass; that is, from right astern to two points on each quarter.

§ 201.6 *Vessels moored or anchored and engaged in laying cables or pipe, submarine construction, excavation, mat sinking, bank grading, dike construction, revetment, or other bank protection operations.* (a) Vessels which are moored or anchored and engaged in laying cables or pipe, submarine construction, excavation, mat sinking, bank grading, dike construction, revetment, or other bank protection operations, shall display by day, not less than 15 feet above the deck, where they can best be seen from all directions, two balls not less than two feet in diameter, in a vertical line not less than three feet nor more than six feet apart, the upper ball to be painted in alternate black and white vertical stripes six inches wide, and the lower ball to be painted a solid bright red.

(b) By night they shall display three red lights, carried in a vertical line not less than three feet nor more than six feet apart, in a position where they can best be seen from all directions, with the lowermost light not less than 15 feet above the deck.

(c) Where a stringout of moored vessels or barges is engaged in the operations, three red lights carried as prescribed in paragraph (b) of this section shall be displayed at the channelward end of the stringout. Where the stringout crosses the navigable channel and is to be opened for the passage of vessels, the three red lights shall be displayed at each side of the opening instead of at the outer end of the stringout. There shall also be displayed upon such stringout one horizontal row of amber lights not less than six feet above the deck, or above the deckhouse where the craft carries a deckhouse, in a position where they can best be seen from all directions, spaced not more than 50 feet apart so as to mark distinctly the entire length and course of the stringout.

§ 201.7 *Vessels moored or at anchor.* Vessels of more than 65 feet in length when moored or anchored in a fairway or channel shall display between sunrise and sunset on the forward part of the vessel where it can best be seen from other vessels one black ball not less than two feet in diameter.

§ 201.8 *Lights to be displayed on pipe lines.* Pipe lines attached to dredges, and either floating or supported on trestles, shall display by night one row of amber lights not less than eight feet nor more than 12 feet above the water, about equally spaced and in such number as to mark distinctly the entire length and course of the line, the intervals between lights where the line crosses navigable channels to be not more than 30 feet. There shall also be displayed on the shore or discharge end of the line two red lights, three feet apart, in a vertical line with the lower light at least eight feet above the water, and if the line is to be opened at night for the passage of vessels, a similar arrangement of lights shall be displayed on each side of the opening.

§ 201.9 *Lights generally.* (a) All the lights required by the regulations contained in this part shall, except as otherwise prescribed by law, be of such size and character as to be visible on a dark night with a clear atmosphere for a distance of at least two miles.

NOTE: The lights required by paragraph (b) of § 201.2 to be of the same character as the regular towing lights, and the lights required by paragraph (b) of § 201.5 to be of the same character as the masthead light, are required by law to be of such size and character as to be visible on a dark night with a clear atmosphere for a distance of at least five miles.

(b) All flood lights or headlights which may interfere with the proper navigation of an approaching vessel shall be so shielded that the lights will not blind the pilot of such vessel.

§ 201.10 *Passing of floating plant working in navigable channels; passing signals.* (a) Vessels intending to pass dredges or other types of floating plant working in navigable channels, when within a reasonable distance therefrom and not in any case over a mile, shall indicate such intention by one long blast of the whistle, and shall be directed to the proper side for passage by the sounding by the dredge or other floating plant, of the signal prescribed in the local pilot rules for vessels under way and approaching each other from opposite directions, which shall be answered in the usual manner by the approaching vessel. If the channel is not clear, the floating plant shall sound the alarm or danger signal and the approaching vessel shall slow down or stop and await further signal from the plant.

(b) When the pipe line from a dredge crosses the channel in such a way that an approaching vessel cannot safely pass around the pipe line or dredge, there shall be sounded immediately from the dredge the alarm or danger signal and the approaching vessel shall slow down or stop and await further signal from the dredge. The pipe line shall then be opened and the channel cleared as soon as practicable; when the channel is clear for passage the dredge shall so indicate by sounding the usual passing signal as before prescribed. The approaching vessel shall answer with a corresponding signal and pass promptly.

(c) When any pipe line or swinging dredge shall have given an approaching vessel or tow the signal that the channel is clear, the dredge shall straighten out within the cut for the passage of said vessel or tow.

NOTE: The term "floating plant" as used in §§ 201.10 to 201.16, inclusive includes dredges, derrick boats, snag boats, drill boats, pile drivers, maneuver boats, hydraulic graders, survey boats, barges, and mat sinking plant.

§ 201.11 *Speed of vessels passing floating plant working in channels.* Vessels, with or without tows, passing floating plant working in channels, shall reduce their speed sufficiently to insure the safety of both the said plant and themselves, and when passing within 200 feet of the said plant their speed shall not

exceed five miles per hour. While passing over lines of the said plant, propelling machinery shall be stopped.

§ 201.12 *Light-draft vessels passing floating plant.* Vessels whose draft permits shall keep outside of the buoys marking the ends of mooring lines of floating plant working in channels.

§ 201.13 *Aids to navigation marking floating-plant moorings.* Breast, stern, and bow anchors of floating plant working in navigable channels shall be marked by barrel or other suitable buoys. By night approaching vessels shall be shown the location of adjacent buoys by throwing a suitable beam of light from said plant on the buoys until the approaching vessel has passed, or the buoys may be lighted by red lights, visible in all directions, of the same size and character as specified in § 201.9.

§ 201.14 *Obstruction of channel by floating plant.* Channels shall not be unnecessarily obstructed by any dredge or other floating plant. While vessels are passing such plant all lines running therefrom across the channel on the passing side which may interfere with or obstruct navigation shall be slackened to the bottom of the channel.

§ 201.15 *Clearing of channels.* When special or temporary regulations have not been prescribed and action under the regulations contained in §§ 201.10 to 201.14, inclusive, will not afford clear passage, floating plant in narrow channels shall, upon notice, move out of the way of vessels a sufficient distance to allow them a clear passage. Vessels desiring passage shall, however, give the master of the floating plant ample notice in advance of the time they expect to pass.

NOTE: If it is necessary to prohibit or limit the anchorage or movement of vessels within certain areas in order to facilitate the work of improvement, application should be made through official channels for establishment by the Secretary of the Army of special or temporary regulations for this purpose.

§ 201.16 *Protection of marks placed for the guidance of floating plant.* Vessels shall not run over anchor buoys, or buoys, stakes, or other marks placed for the guidance of floating plant working in channels; and shall not anchor on the ranges of buoys, stakes, or other marks placed for the guidance of such plant.

This notice is published pursuant to section 4 of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238; 5 U. S. C. 1003) Data, views, or arguments with respect to the proposed amendments may be submitted, in writing, to the Chief of Engineers, Department of the Army, Washington 25, D. C. To assure consideration thereof, such communications must be received by the Chief of Engineers not later than 20 days from the date of publication of this notice in the FEDERAL REGISTER.

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 47-9873; Filed, Nov. 5, 1947;  
8:46 a. m.]

## DEPARTMENT OF AGRICULTURE

Production and Marketing  
Administration

## 17 CFR, Part 561

DRESSED POULTRY AND DRESSED DOMESTIC  
RABBITS AND EDIBLE PRODUCTS THEREOFMARKING OF CONTAINERS OF INSPECTED  
AND CERTIFIED EDIBLE PRODUCTS FOR  
SHIPMENT FROM ONE OFFICIAL PLANT TO  
ANOTHER OFFICIAL PLANT

Notice is hereby given that the Assistant Administrator, Production and Marketing Administration, is considering the issuance of the following instructions, pursuant to § 56.51 of the revised rules and regulations governing the inspection and certification of dressed poultry and dressed domestic rabbits and edible products thereof for condition and wholesomeness (7 CFR and Supps. 56.1 et seq.) with regard to the marking of containers of inspected and certified

edible products to be shipped from one official plant to another official plant.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed instructions shall file the same in quadruplicate with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 15th day after the publication of this notice in the FEDERAL REGISTER.

The proposed instructions are as follows:

§ 56.151 *Marking of containers of inspected and certified edible products for shipment from one official plant to another official plant.* (a) Each container of any inspected and certified edible products to be shipped from one official plant to another official plant for further processing shall be marked for identification and show the following information:

(1) The name of the inspected and certified edible products in the container;

(2) The name and address of the packer or distributor of such products;

(3) The net weight of the contents; and

(4) The inspection mark permitted to be used pursuant to § 56.42 of the revised rules and regulations governing the inspection and certification of dressed poultry and dressed domestic rabbits and edible products thereof for condition and wholesomeness (7 CFR and Supps. 56.1 et seq.)

(b) All terms used in this section shall have the same meaning applicable to such terms when used in the aforesaid rules and regulations.

Issued at Washington, D. C., this 31st day of October 1947.

[SEAL]

S. R. NEWELL,  
Acting Assistant Administrator.[F. R. Doc. 47-9639; Filed, Nov. 5, 1947;  
8:45 a. m.]

## NOTICES

## TREASURY DEPARTMENT

## United States Coast Guard

[CGFR 47-53]

## APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4481, 4488, 4492, 35 Stat. 428, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended (48 U. S. C. 375, 391a, 396, 404, 474, 481, 490, 1333, 50 U. S. C. 1275) and section 101, Reorganization Plan No. 3 of 1946 (11 F. R. 7875) the following approval of equipment is prescribed and shall be effective for a period of five years from date of publication in the FEDERAL REGISTER, unless sooner canceled or suspended by proper authority:

## LIFEBOATS

Approval No. 160.035/175/0, 12' x 4.5' x 1.85' steel, oar-propelled lifeboat, Type OMS, for service on vessels other than ocean and coastwise vessels, 6-person capacity, identified by construction and arrangement Dwg. No. OMS 1A dated October 1947, manufactured by Tregoning Industries, Inc., Seattle, Washington.

Dated: October 30, 1947.

[SEAL]

J. F. FARLEY,  
Admiral, U. S. Coast Guard,  
Commandant.[F. R. Doc. 47-9876; Filed, Nov. 5, 1947;  
8:55 a. m.]

## FEDERAL POWER COMMISSION

[Project No. 1982]

## NORTHERN STATES POWER CO.

NOTICE OF APPLICATION FOR LICENSE  
(MAJOR)

NOVEMBER 3, 1947.

Public notice is hereby given, pursuant to the provisions of the Federal Power

Act (16 U. S. C. 791-825r), that Northern States Power Company, of Eau Claire, Wisconsin, has filed application for license for proposed Project No. 1982, known as the Holcombe Project, on the Chippewa River, in Chippewa and Rusk Counties, Wisconsin, consisting of a dam near the village of Holcombe, Wisconsin, having concrete gated spillway section about 600 feet long, earth-embankment sections with aggregate length of about 4200 feet, and a powerhouse section; a reservoir; a concrete and brick powerhouse with installation of about 40,000 horsepower; an outdoor substation; a transmission line about 15 miles long to the applicant's Jim Falls hydro plant; and appurtenant works.

Any protest against the approval of this application or request for hearing thereon, with the reason for such protest or request and the name and address of the party or parties so protesting or requesting should be submitted before December 12, 1947, to the Federal Power Commission, Washington, D. C.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 47-9878; Filed, Nov. 5, 1947;  
8:56 a. m.]

[Docket No. G-9631]

## COMMONWEALTH NATURAL GAS CORP.

## NOTICE OF APPLICATION

OCTOBER 31, 1947.

Notice is hereby given that on October 22, 1947 an application was filed with the Federal Power Commission by Commonwealth Natural Gas Corporation (Applicant) a Virginia corporation with its principal place of business in Lynchburg, Virginia, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as

amended, authorizing the construction and operation of certain natural gas pipe line facilities, subject to the jurisdiction of the Commission which are described as follows:

A 637-mile, 20-inch O. D. pipe line from a connection with the Tennessee Gas Transmission Company's pipe line near West Bend, Kentucky, to a point near Norfolk, Virginia, with laterals to Roanoke, Petersburg, Richmond and Suffolk, together with metering and regulating stations and other necessary facilities.

Applicant is a newly formed corporation organized for the purpose of constructing and operating the above facilities, and is authorized to issue a maximum of 7,500 shares of common stock without nominal or par value. It is proposed to purchase 100,000 Mcf of natural gas per day from the Tennessee Gas Transmission Company for delivery and sale to Roanoke Gas Company, The Petersburg and Hopewell Gas Company, Virginia Electric and Power Company, Portsmouth Gas Company, Suffolk Gas Company, the City of Richmond, Virginia, and a number of large industrial customers along the proposed line.

Applicant proposes to finance the estimated cost of construction of \$29,522,100 by temporary bank loans during the construction period, which loans will be replaced at the conclusion of the construction by the sale of its securities and by term loans from banks.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.



The application of Commonwealth Natural Gas Corporation is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947). (18 CFR 1.8 or 1.10)

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-9879; Filed, Nov. 5, 1947;  
8:56 a. m.]

[Docket No. G-964]

OHIO FUEL GAS CO.

#### NOTICE OF APPLICATION

OCTOBER 31, 1947.

Notice is hereby given that on October 23, 1947, an application was filed with the Federal Power Commission by The Ohio Fuel Gas Company (Applicant) an Ohio corporation with its principal place of business at Columbus, Ohio, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction, operation, replacement and removal of certain natural gas facilities, subject to the jurisdiction of the Commission, which are described as follows:

(1) A natural gas compressor station in Monroe Township, Richland County, Ohio, to serve as a re-pressuring station for the Perrysville storage area. The station will consist of five (5) gas engine-compressor units totaling 6,350 horsepower, complete with normal auxiliaries. The five (5) gas engine units are to be moved from the Treat and Pavonia Compressor Stations to the new Monroe Station.

The retirement from service of the existing Perrysville storage compressor station and four 160 B. H. P. and one 80 B. H. P. Cooper gas engine-compressor units from the Brown Compressor Station upon the completion of the Monroe Compressor Station.

(2) Approximately twenty-two (22) miles of 16-inch O. D. gas transmission pipe line in Knox and Richland Counties, Ohio, extending from Brown Compressor Station to the Monroe Station proposed in (1) above, and thence to the Pavonia Compressor Station.

The removal of about 39.5 miles of existing 8-inch, 10-inch, and 12-inch transmission lines upon the completion of the above proposed 16-inch line and changes described in (1) above.

(3) The extension of Applicant's present storage area by the addition of 13 partially depleted wells creating an estimated storage capacity of one and one-half (1½) billion cubic feet of natural gas. The construction of about 30 miles of well and gathering lines ranging in

size from 3-inch to 12-inch and the removal of about 27.6 miles of existing lines ranging in size from 2-inch to 8-inch to replace present lines and connections, for the purpose of withstanding increased operating pressures and to provide capacity for handling greater volumes of gas.

Applicant states that the primary purpose of the proposed changes is to develop additional underground storage capacity, thereby permitting receipt of additional "pipe line" gas during summer months and to improve the ability to meet the requirements of existing markets and consumers. The project is a part of the general storage expansion program and the Perrysville storage area is so situated that increases in capacity and deliverability can be made readily available to major central and northwestern Ohio markets.

The total estimated capital cost of the facilities herein proposed is \$2,310,800 which will be financed by the Company and by funds advanced from or secured by its parent, Columbia Gas & Electric Corporation.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

The application of The Ohio Fuel Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 or 1.10)

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-9880; Filed, Nov. 5, 1947;  
8:56 a. m.]

### SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1013]

SCHENLEY DISTILLERS CORP.

#### NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 31st day of October A. D. 1947.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in

the Common Stock, \$1.75 Par Value, of Schenley Distillers Corporation, a security listed and registered on the New York Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Philadelphia, Pennsylvania.

Notice is hereby given that, upon request of any interested person received prior to November 30, 1947, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Philadelphia, Pennsylvania. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 47-9868; Filed, Nov. 5, 1947;  
8:45 a. m.]

[File Nos. 54-113, 59-78, 70-1015]

LOUISVILLE GAS AND ELECTRIC CO. (DEL.)  
AND STANDARD GAS AND ELECTRIC CO.

#### ORDER PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE AND RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa. on 28th day of October A. D. 1947.

In the matter of Louisville Gas and Electric Company (Delaware), File No. 54-113; Standard Gas and Electric Company, File No. 70-1015; Louisville Gas and Electric Company (Delaware), Respondent, File No. 59-78.

Louisville Gas and Electric Company, a Delaware corporation ("Delaware Company"), a registered holding company and subsidiary of Standard Gas and Electric Company ("Standard Gas"), also a registered holding company, having filed an application for approval of a Second Amended Plan dated May 22, 1947, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, providing in general for the liquidation of the Delaware Company after the distribution of its sole remaining asset apart from current assets, namely 918,025 shares of common stock of the Louisville Gas and Electric Company, a Kentucky corporation ("Kentucky Company") among its own stockholders at the rate of 1¼th shares for each share of Class A common stock and 0.913 of a share for each share of Class B common stock, the fractional shares to be paid for in cash at the rate of \$25 for a full share and the shares representing frac-

tional interests to be sold by the Delaware Company to Standard Gas at \$25 per share; and

Standard Gas having filed an application-declaration with amendments thereto requesting permission to acquire the shares of Kentucky Company common stock distributable to it under the plan and to purchase from the Delaware Company at the rate of \$25 per share those shares of Kentucky Company common stock which represent fractional interests that would be distributable to stockholders under the proposed distribution; and

The Commission having instituted proceedings under section 11 (b) (2) of the act with respect to the Delaware Company, and the proceedings on all these matters having been consolidated for purposes of hearing and disposition; and

The Delaware Company having requested that the Commission enter an order finding that the transactions proposed in the plan are necessary and appropriate to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby, and that the order conform to the pertinent requirements of sections 371 and 1808 (f) of the Internal Revenue Code and contain the recitals, specifications and itemizations therein required; and

Public hearings having been held after appropriate public notice, and the Commission having been duly advised and having this day issued its findings and opinion herein;

*It is ordered*, On the basis of said findings and opinion, that the plan of the Delaware Company and the application-declaration of Standard Gas be and they are hereby approved and permitted to become effective pursuant to the applicable provisions of the act and the rules and regulations promulgated thereunder;

*It is further ordered*, In accordance with said findings and opinion, that pursuant to section 11 (b) (2) of the act the continued existence of the Delaware Company shall be terminated;

*It is further ordered*, That jurisdiction be and it is hereby reserved over all fees and expenses to be paid in connection with the consummation of the plan and the proposed transactions incident thereto;

*It is further ordered and recited*, That the following transactions involved in the consummation of the plan are approved or permitted and found to be necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and are necessary or appropriate to the simplification of the holding company system of which the Delaware Company and the Kentucky Company are members, and hereby authorized and approved:

(1) The distribution of 918,025 shares of common stock of the Kentucky Company (or such lesser amount of said shares, which reduction may be caused by the purchase by Standard of fractional shares, at the rate of \$25.00 per share, in accordance with the terms of the Second Amended Plan) to the stockholders of the Delaware Company, on

the basis of  $1\frac{1}{4}$  shares for each share of Class A common stock of the Delaware Company, and 0.913 of a share for each share of Class B common stock of the Delaware Company, and cash in lieu of issuance of fractional shares, and

(2) The sale to Standard of such part of said shares of common stock of the Kentucky Company, at the rate of \$25.00 per share, as is not distributed under said Second Amended Plan.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-9570; Filed, Nov. 5, 1947;  
8:45 a. m.]

[File No. 54-130]

INTERSTATE POWER CO. AND OGDEN CORP.  
NOTICE OF FILING AND NOTICE OF AND ORDER  
RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 31st day of October A. D. 1947.

I. On January 24, 1947, the Commission entered an order (Holding Company Act Release No. 7159) approving, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, a plan ("Original Plan") for the reorganization of Interstate Power Company ("Interstate"), a registered holding company and a subsidiary of Ogden Corporation ("Ogden") also a registered holding company, and on April 24, 1947, the District Court of the United States for the District of Delaware entered an order approving and enforcing the Original Plan subject to the terms and conditions

of the Commission's order of January 24, 1947; said plan provided, among other things, for the issuance and sale of new first mortgage bonds and new common stock. The provisions of the Original Plan are more fully described in the Commission's notice and order of October 10, 1946 (Holding Company Act Release No. 6938) and in the Commission's findings and opinion of January 20, 1947 (Holding Company Act Release No. 7143). Interstate invited competitive bids in respect of the proposed sale of said new bonds and common stock, and on September 25, 1947, the Commission entered an order (Holding Company Act Release No. 7739) and an opinion (Holding Company Act Release No. 7753) denying effectiveness to the declaration of Interstate in respect of the proposed issuance and sale of said new securities on the basis of the Commission's conclusion that "the issuance and sale of Interstate's new common stock at the price proposed to be paid to Interstate by the successful bidders would not effectuate a plan which would be fair and equitable to the persons affected thereby."

Notice is hereby given that Interstate has filed, pursuant to section 11 (e) and other applicable provisions of the act, an amendment to its application for approval of the aforesaid plan, containing an Alternate Plan of reorganization and certain related proposals. All interested persons are referred to said amendment, which is on file in the office of the Commission, for a full statement of the transactions therein proposed, which may be summarized as follows:

The following tabulation shows the presently outstanding securities of Interstate and their ownership by Ogden and by others:

	Principal amount or shares outstanding	Owned by Ogden	Owned by others
1st mortgage 5½% bonds, due 1957.....	\$225,000,000	—	\$225,000,000
6% debentures, due 1952.....	7,500,000	\$100	7,499,900
6% demand note.....	2,475,000	2,475,000	—
Collateral promissory notes, due Dec. 1, 1947.....	13,000,000	—	13,000,000
\$7 cumulative preferred stock, no par value <sup>1</sup> .....	Shares 72,000	Shares 3,163	Shares 68,837
\$9 cumulative preferred stock, no par value <sup>2</sup> .....	47,000	9,471	37,529
Common stock, no par value.....	175,000	175,000	—

<sup>1</sup> Bonds in aggregate principal amount of \$3,000,000 in addition to those listed above were nominally issued as collateral for the collateral promissory notes.

<sup>2</sup> Rank equally, each entitled, in involuntary liquidation, to \$100 per share and accrued dividends; dividend arrears accumulated from December 30, 1933, total \$7,445,625 or \$163 per share on the \$7 preferred, and \$4,150,950 or \$83 per share on the \$9 preferred, at June 30, 1947.

Questions have heretofore been raised concerning the rank and status of the securities of Interstate held by Ogden, and pursuant to an agreement dated June 30, 1941, all interest received by Ogden since that date on the demand note has been deposited by Ogden in escrow ("Escrow No. 1") with Manufacturers Trust Company. The agreement provides that such funds shall be held intact until all questions of the rank and status of the demand note shall have been passed upon by this Commission and any Court having jurisdiction. As at June 30, 1947, such escrowed funds (some of which are invested in U. S. Government securities) aggregated \$929,750. Prior to June 30, 1941, Ogden received

payments of interest on the demand note aggregating \$222,750.

*The Alternate Plan.* Interstate proposes the Alternate Plan upon the express condition that in case it should be deemed impracticable in the judgment of the Board of Directors to consummate the Alternate Plan on or before such date as may be selected by Interstate, the company may, subject to the approval of the Commission, withdraw the Alternate Plan and resort to consummation of the Original Plan. In this connection, it is further stated that under present circumstances it is the judgment of the Board of Directors that unless the Alternate Plan is consummated on or before March 15, 1948, it will be necessary to request that it be withdrawn.

The provisions of the Alternate Plan, which reflect material modifications of the Original Plan, are the following:

1. Interstate will have a capitalization consisting of \$20,000,000 principal amount of new first mortgage bonds, \$5,000,000 principal amount of new debentures to mature in not more than twenty years, and 1,500,000 shares of new common stock of the par value of \$3.50 per share. In addition, there will be initially outstanding a minimum of \$1,000,000 principal amount of promissory notes. The Original Plan provides for a capital structure consisting of \$19,400,000 principal amount of new first mortgage bonds and 3,000,000 shares of new common stock of the par value of \$3.50 per share.

2. There will be sold the above principal amounts of the new bonds and new debentures and such number of the 1,500,000 shares of new common stock as may be necessary to raise \$3,635,500, being an amount sufficient when added to the aggregate principal amount (\$25,000,000) of the new bonds and new debentures for the following purposes and no others:

(a) Reimbursement of the treasury in the amount of \$2,600,000 for working capital and to discharge obligations for new construction completed or in progress prior to the effective date of the plan;

(b) Payment and discharge at the principal amount thereof (without premium) of the \$26,035,500 principal amount of presently outstanding first mortgage bonds.

The Original Plan provides for the sale of the new bonds therein proposed and for the sale, pursuant to either of two alternatives, of a sufficient number of shares of the new common stock therein proposed to provide Interstate with either \$18,610,500 or \$8,635,500 and the use of such proceeds for certain specific purposes outlined in the Original Plan.

Other provisions of the Alternate Plan are the following:

1. The entire balance of the new common stock remaining unsold will be deposited in escrow ("Escrow No. 2") subject to an escrow agreement substantially in the form heretofore approved by the Commission in connection with the Original Plan. The Contingent Liability Agreement provided for in said escrow agreement will also be substantially in the form heretofore approved by the Commission.

2. As of the effective date of the Alternate Plan, the excess of the cost to Interstate of utility plant over the original cost thereof will be written off.

3. The Commission shall continue or institute such proceedings as may be necessary for a final disposition of the issues raised concerning the rank and status of the \$2,475,000 Demand Note and the \$100 Debenture owned by Ogden and the relative rights of Ogden with reference to the 12,569 shares of Interstate's preferred stocks held by Ogden. There shall not be deemed to be a final determination of such issues until an order of the Commission with respect to such issues has been approved by a court of competent jurisdiction in enforcement proceedings and until all appeals from

such court order shall have been disposed of, or the time for an appeal from such court order has elapsed.

4. The present common stock of Interstate owned by Ogden shall be surrendered for cancellation upon the effective date of the plan.

The Alternate Plan provides that upon the entry by the Commission of an order or orders approving it, the Board of Directors of Interstate will request the Commission pursuant to section 11 (e) of the act to apply to a court of competent jurisdiction to enforce and carry out the terms of the Alternate Plan.

*Proposals related to Alternate Plan—*

1. *Request for Rule U-50 exemption.* Interstate requests an exemption from the competitive bidding requirements of Rule U-50 in respect of the proposed sale of the new bonds, debentures, and common stock to be issued under the Alternate Plan.

2. *Promissory notes.* As shown above, Interstate has presently outstanding \$3,000,000 principal amount of collateral promissory notes maturing on December 1, 1947. Interstate has filed a separate application (File No. 70-1664) proposing the extension of the maturity date of said notes to April 15, 1948. Interstate represents that it will need to borrow an additional \$1,400,000 not later than April 15, 1948 to finance its construction program. The application in connection with the Alternate Plan filed herein (File No. 54-130) contains the following proposals for retiring Interstate's presently outstanding promissory notes at their proposed extended maturity date and for meeting Interstate's need for said additional funds:

(a) In the event that no plan of reorganization is consummated on or before April 15, 1948, Interstate proposes to issue and sell at par \$4,400,000 principal amount of new promissory notes maturing not later than December 31, 1948, at a rate of interest not exceeding 3% per annum. Of the proceeds thereof, Interstate will use \$3,000,000 to retire the presently outstanding \$3,000,000 promissory notes expected to mature on April 15, 1948, and \$1,400,000 for new construction. Said new promissory notes will be secured by an equal amount of Interstate's 5% First Mortgage Bonds due 1957.

(b) In the event that the presently proposed Alternate Plan is consummated, Interstate proposes to issue and sell at par \$2,400,000 principal amount of new promissory notes maturing not later than December 31, 1948, at an annual rate of interest not exceeding 3% per annum. Of the proceeds, Interstate will use \$1,000,000 to retire an equal principal amount of its outstanding promissory notes expected to mature on April 15, 1948 (the remaining \$2,000,000 of such notes will be retired from funds provided through the Alternate Plan) and \$1,400,000 will be used for new construction. Interstate proposes, if necessary, to secure said new promissory notes with an equal amount of its new first mortgage bonds.

(c) In the event that the Original Plan is consummated, Interstate proposes to issue and sell at par \$3,000,000 principal amount of new promissory notes matur-

ing not later than December 31, 1948, at an annual rate of interest not exceeding 3%. Of the proceeds, Interstate will use \$1,600,000 to retire an equal principal amount of its outstanding promissory notes expected to mature on April 15, 1948 (the remaining \$1,400,000 of such bank loans will be retired from funds provided through the Original Plan), and \$1,400,000 will be used for new construction. Interstate proposes, if necessary, to secure said new promissory notes with an equal amount of its new first mortgage bonds.

II. Public hearings having been held with respect to Interstate's plan pursuant to this Commission's notice and orders herein dated October 3, 1945, May 20, 1946, and October 10, 1946, and having been continued subject to call; and

It appearing to the Commission that the hearing herein should be reconvened for the purpose of adducing further evidence and affording further opportunity to all interested persons to be heard;

*It is ordered,* That the hearing in this matter be reconvened on November 19, 1947, at 11:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On that date, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held. Any person desiring to be heard or otherwise participate in the proceedings should file with the Secretary of the Commission on or before November 17, 1947, his application therefor, as provided in Rule XVII of the rules of practice of the Commission.

*It is further ordered,* That Allen McCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the filing, and that, upon the basis thereof, the following matters and questions are presented for consideration, in addition to those specified in the Commission's notice and order herein dated October 3, 1945, without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the Alternate Plan as submitted, or as hereafter modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby.

2. Whether, and if so, in what manner, the Alternate Plan should be modified to ensure adequate protection of the public interest and the interest of investors and consumers.

3. Whether the proposed issuances and sales by Interstate under the Alternate Plan of new first mortgage bonds, debentures, and common stock meet the requirements of section 7 of the act.

4. Whether the proposed issuance and sale by Interstate of promissory notes meet the requirements of section 7 of the act.



5. Whether an exemption from the competitive bidding requirements under Rule U-50 in respect of the proposed sales by Interstate of new bonds, debentures and common stock is appropriate under the circumstances of this case.

6. Whether the fees, commissions, or other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

*It is further ordered*, That particular attention be directed at said hearing to the foregoing matters and questions.

Notice is hereby given of said reconvened hearing to Interstate, to Ogden, to The Chase National Bank of the City of New York, Trustee of Interstate's First Mortgage 5% Bonds, to Chemical Bank & Trust Company of the City of New York, Trustee of Interstate's 6% Debentures, to all the participants in the proceeding, and to all interested persons, said notice to be given to Interstate, Ogden, The Chase National Bank of the City of New York, Chemical Bank & Trust Company of the City of New York, and to all the participants in the proceeding by registered mail, and to all other persons by a general release of this Commission which shall be distributed to the press and mailed to all persons on the mailing list for releases issued under the act, and by publication in the FEDERAL REGISTER.

*It is further ordered*, That Interstate shall give additional notice of said reconvened hearing to all holders of Interstate's outstanding debentures whose identity is known to Interstate and to all holders of record of shares of its preferred stocks as of a date not more than 30 days prior to the date of said hearing by mailing to each of said persons a copy of this notice and order at his last known address at least fifteen days prior to the date of said hearing.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-9871; Filed, Nov. 5, 1947;  
8:46 a. m.]

[File No. 70-1595]

GEORGIA POWER CO.

#### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 30th day of October 1947.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Georgia Power Company ("Georgia Power") a public utility subsidiary of The Commonwealth & Southern Corporation, a registered holding company. The declarant has designated sections 6 (a) and 7 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than November 8, 1947 at 5:30 p. m., e. s. t., re-

quest the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after November 8, 1947, said declaration as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-24 (a) and Rule U-100 thereunder.

All interested persons are referred to said declaration which is on file at the offices of this Commission for a statement of the transaction therein proposed which is summarized as follows:

Georgia Power proposes (1) to reduce the amount stated as capital with respect to its outstanding 2,500,000 shares of no par value common stock from \$55,000,000 to \$37,000,000, without reducing the number of shares, and to transfer the amount of the reduction (\$18,000,000) to the Capital Surplus Account and (2) to dispose of the amount of capital surplus so created by making the following charges to Capital Surplus Account:

(a) \$14,115,573.10 to eliminate a portion of the amount in Account 100.6, Electric and Gas Property in Process of Reclassification (the remainder of such Account 100.6 to be charged to earned surplus to the extent of the balance of such earned surplus at June 30, 1947 (\$7,352,727.51)),

(b) \$2,330,946.78 to be transferred to the Reserve for Depreciation; and

(c) \$1,553,480.12 to be transferred to a Special Property Reserve available for possible further plant account adjustments.

The declaration indicates that the proposed transactions are in conformity with orders of the Georgia Public Service Commission dated September 18, 1947 and October 23, 1947 and with an order of the Federal Power Commission dated September 18, 1947.

Georgia Power has agreed that the Commission's order permitting the declaration to become effective may contain a condition providing, generally, that so long as any shares of the \$6 Preferred Stock or the \$5 Preferred Stock of Georgia Power are outstanding, the payment of dividends on the company's common stock shall be subject to the following limitations: (a) Common stock dividends will be limited to 50% of the net income available therefor whenever the common equity becomes less than 20% of total capitalization and surplus, (b) such dividends will be restricted to 75% of such net income whenever the common stock equity becomes less than 25% but is equal to or greater than 20% of total capitalization, and (c) except to the extent permitted under (a) and (b) above, Georgia Power shall not pay any common stock dividends which

would reduce the common stock equity to less than 25% of total capitalization.

The declaration also indicates that as of December 31, 1946 Georgia Power had written off \$46,876,940.54 of the \$111,534,500.79 heretofore classified as excess over original cost of utility plant and that of the balance of \$64,657,560.25 as of that date, \$16,189,259.64 has since been written off by charges to various existing reserve accounts and that the remainder is to be disposed of by charges of \$21,468,300.61 to earned and capital surplus, as hereinabove stated, and by amortizing \$27,000,000 over a period of 15 years commencing July 1, 1947 by monthly charges of \$150,000 to income Account 537 (Miscellaneous Amortization).

Georgia Power has requested that the Commission's order be issued as soon as possible and that it become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-9872; Filed, Nov. 5, 1947;  
8:46 a. m.]

[File No. 70-1653]

ALABAMA GAS CO.

#### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 30th day of October A. D. 1947.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Alabama Gas Company ("Alabama") a subsidiary of Southern Natural Gas Company, a registered holding company. Declarant has designated section 6 (b) as applicable to the proposed transactions, and states it has filed application with the Alabama Public Service Commission for the necessary approval.

Notice is further given that any interested person may, not later than November 7, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed as follows: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after November 7, 1947, at 5:30 p. m., e. s. t., said declaration as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a state-

ment of the transactions therein proposed which are summarized as follows:

Alabama proposes to issue \$1,000,000 principal amount of notes to Chase National Bank of the City of New York, \$500,000 principal amount of such notes bearing interest at a minimum of 2½% (subject to adjustment in relation to the discount rate of the New York Federal Reserve Bank for commercial paper but in no event to exceed 3% per annum) maturing serially at the rate of \$100,000 annually commencing November 1, 1948; and \$500,000 principal amount of such notes bearing interest at the minimum rate of 2¾% per annum (also subject to adjustment in relation to said discount rates but not to exceed 3% per annum) and maturing November 1, 1952. Alabama proposes to borrow such moneys for the purpose of constructing additions to its gas distribution systems. Alabama indicates it will repay the first \$500,000 of such notes out of earnings.

Alabama requests that the Commission issue its order herein as soon as possible so that the company may be in a position to complete such transactions at the earliest possible date, and that such order be effective upon issuance.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-9869; Filed, Nov. 5, 1947;  
8:45 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9944]

SUSANNA LAUFF

In re: Estate of Susanna Lauff, deceased. File No. D-28-11843; E. T. sec. 16043.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Susanna Tinsz, Katherine Lauff Szucsansky, Jacob Lauff, Michael Lauff, Anna Lauff Turech, Jacob Neupauer, Julia Wallenten, John Lerch, and Jacob Gollschneider, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country, (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Susanna Lauff, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country, (Germany)

3. That such property is in the process of administration by The Manchester Trust Company, as administrator, acting under the judicial supervision of the Court of Probate, District of Manchester, State of Connecticut;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are, not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 7, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director Office of Alien Property.

[F. R. Doc. 47-9881; Filed, Nov. 5, 1947;  
8:46 a. m.]

[Vesting Order 9958]

JIGORO HOSHINO ET AL.

In re: Stock owned by Jigoro Hoshino and others. F-39-4656-D-1, F-28-23037-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Jigoro Hoshino, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan).

2. That Anna von Kuhlman, Richard Constantine Leonard Ludwig von Kuhlman, Johann James Ernst Otto von Kuhlman and Margarethe Mathilde Rosa Irene von Heymel, each of whose last known address is Gisela Strasse 1/1, Munich, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

3. That the property described as follows: One hundred (100) shares of no par value common capital stock of Electric Power & Light Corporation, 2 Rector Street, New York, New York, a corporation organized under the laws of the State of Maine, evidenced by certificate number 195449, registered in the name of Mr. Jigoro Hoshino, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Jigoro Hoshino, the aforesaid national of a designated enemy country (Japan),

4. That the property described as follows: Forty (40) shares of no par value common capital stock of Electric Power

& Light Corporation, 2 Rector Street, New York, New York, a corporation organized under the laws of the State of Maine, evidenced by certificate number 075578, registered in the names of Anna von Kuhlman, Richard Constantine Leonard Ludwig von Kuhlman, Johann James Ernst Otto von Kuhlman and Margarethe Mathilde Rosa Irene von Heymel as tenants in common, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the persons named in subparagraph 2 hereof, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that the person named in subparagraph 1 be treated as a national of a designated enemy country (Japan) and the persons named in subparagraph 2 be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 7, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director Office of Alien Property.

[F. R. Doc. 47-9882; Filed, Nov. 5, 1947;  
8:46 a. m.]

[Vesting Order 9960]

DR. HEINRICH KOCK

In re: Stock owned by Dr. Heinrich Kock. F-28-25240-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. Heinrich Kock, whose last known address is 37 Widenmayerstrasse, Munich, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: One hundred (100) shares of \$100.00 par value common capital stock of Erie Railroad Company, Midland Building, 101 Prospect Avenue N. W.,

Cleveland 15, Ohio, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered 126796, registered in the name of Dr. Heinrich Kock, together with all declared and unpaid dividends thereon, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 7, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-9883; Filed, Nov. 5, 1947;  
8:46 a. m.]

[Vesting Order 9972]

A. E. WASSERMANN

In re: Stock owned by A. E. Wassermann. F-28-1037 D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That A. E. Wassermann, whose last known address is Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: Ninety-six (96) shares of no par value common capital stock of American Bemberg Corporation, 261 Fifth Avenue, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate number 6590, registered in the name of A. E. Wassermann, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 7, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-9884; Filed, Nov. 5, 1947;  
8:46 a. m.]

[Vesting Order 10041]

EMILIE FRAUENDT

In re: Bank account owned by Emilie Fraundt. F-28-897-C-1, F-28-897-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emilie Fraundt, whose last known address is Kruezgasse Idstein, Taunus, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of Peoples Bank & Trust Company, Westfield, New Jersey, arising out of a Savings Account, Account Number 23791, entitled (Miss) Emilie Fraundt by Chas. Frankenbach, Agt., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Emilie Fraundt, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-9335; Filed, Nov. 5, 1947;  
8:46 a. m.]

[Vesting Order 10045]

HEINRICH HAMMERLE ET AL.

In re: Bank accounts owned by Heinrich Hammerle, also known as Heinrich Haemmerle, Helena Kastner, also known as Helene Kastner, and Fritz Hammerle, also known as Fritz Haemmerle. F-28-9981-C-1, F-28-9981-E-1, F-28-23991-C-1, F-28-23991-E-1, F-28-14762-C-1, F-28-14762-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Hammerle, also known as Heinrich Haemmerle, Helena Kastner, also known as Helene Kastner, and Fritz Hammerle, also known as Fritz Haemmerle, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Heinrich Hammerle, also known as Heinrich Haemmerle, by First National Bank of Belleville, Belleville, Illinois, arising out of a trust account, entitled Heinrich Hammerle, and any and all rights to demand, enforce and collect the same, subject however to any and all lawful liens in favor of Detjen & Detjen, 511 Locust Street, St. Louis 1, Missouri, arising out of accrued but unpaid attorney's fees for services rendered the aforesaid national,

b. That certain debt or other obligation owing to Helena Kastner, also known as Helene Kastner, by First National Bank of Belleville, Belleville, Illinois, arising out of a trust account, entitled Helena Kastner, and any and all rights to demand, enforce and collect the same, subject however to any and all lawful liens in favor of Detjen & Detjen, 511 Locust Street, St. Louis 1, Missouri, arising out of accrued but unpaid attorney's fees for services rendered the aforesaid national, and

c. That certain debt or other obligation owing to Fritz Hammerle, also known as Fritz Haemmerle, by First National Bank of Belleville, Belleville, Illinois, arising out of a trust account, entitled Fritz Hammerle, and any and all

rights to demand, enforce and collect the same, subject however to any and all lawful liens in favor of Detjen & Detjen, 511 Locust Street, St. Louis 1, Missouri, arising out of accrued but unpaid attorney's fees for services rendered the aforesaid national,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director Office of Alien Property.

[F. R. Doc. 47-9886; Filed, Nov. 5, 1947; 8:47 a. m.]

[Vesting Order 10050]

HONDA SHOJI K. K.

In re: Bank account owned by and debt owing to Honda Shoji K. K. F-39-1902-C-1, F-39-1902-C-2, F-39-1902-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Honda Shoji K. K., the last known address of which is Osaka, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Osaka, Japan and is a national of a designated enemy country (Japan)

2. That the property described as follows:

a. That certain debt or other obligation of The Philadelphia National Bank, Philadelphia, Pennsylvania, arising out of a Checking Account, entitled Henry L. Schimpf and William J. Sealt, and

any and all rights to demand, enforce and collect the same; and

b. That certain debt or other obligation owing to Honda Shoji, K. K., by Philadelphia Copper Smithing Company, 808 North Front Street, Philadelphia, Pennsylvania, in the amount of \$3,750.00 as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Honda Shoji K. K., the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director Office of Alien Property.

[F. R. Doc. 47-9887; Filed, Nov. 5, 1947; 8:47 a. m.]

[Vesting Order 10058]

MARIA MEESE

In re: Bank account owned by Maria Meese. F-28-22740-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria Meese, whose last known address is Gelsenkirchen-Buer, Hochstrasse 70, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of People's Bank for Savings, 277 North Avenue, New Rochelle, New York, arising out of a savings account, Account Number 32868, entitled Louise Tonnes, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Maria Meese, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director Office of Alien Property.

[F. R. Doc. 47-9888; Filed, Nov. 5, 1947; 8:47 a. m.]

[Vesting Order 10059]

DR. R. MELDAU

In re: Debt owing to Dr. R. Meldau. F-28-4801-C-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. R. Meldau, whose last known address is Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Dr. R. Meldau, by Richey & Watts, 1150 Union Commerce Building, Cleveland 14, Ohio, in the amount of \$862.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a

national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-9889; Filed, Nov. 5, 1947; 8:47 a. m.]

[Vesting Order 10061]

MARIA OTT

In re: Bank account owned by Maria Ott, also known as Maria Schmitt. F-28-28534 E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria Ott, also known as Maria Schmitt, whose last known address is Eichunbuhl b. Miltenberg, Hauptstr. 34, Bayern, American Zone, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Maria Ott, also known as Maria Schmitt, by The Bank for Savings in the City of New York, 1201 Third Avenue, New York, N. Y., arising out of a savings account, account number B 72852, entitled Maria Schmitt, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, admin-

istered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-9890; Filed, Nov. 5, 1947; 8:47 a. m.]

[Vesting Order 10062]

MRS. WANDA PHILIPP ET AL.

In re: Bank accounts owned by Mrs. Wanda Philipp and others.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons named in Exhibit A, attached hereto and by reference made a part hereof, whose last known addresses are as set forth in Exhibit A, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: Those certain debts or other obligations owing to the persons named in Exhibit A by The First National Bank of Chicago, Dearborn, Monroe and Clark Streets, Chicago 90, Illinois, arising out of the Savings Accounts, entitled and

numbered as set forth opposite the names of the persons listed in the aforesaid Exhibit A, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

#### EXHIBIT A

Name and last known address of owner	Title of account	Account No.	Alien Property File No.
Mrs. Wanda Philipp, Lina Hebe, Germany.....	Mrs. Wanda Philipp.....	1,623,072	F-28-6022-E-1
Martha Polenske, Gerwisch, Germany.....	Martha Polenske.....	1,245,915	F-28-15624-E-1
Hedwig Birkholz, Berlin So. 28, Germany.....	Hedwig Birkholz.....	1,331,672	F-28-13414-E-1
Olga Matzke, Gessen, Germany.....	Olga Matzke.....	1,331,673	F-28-13415-E-1
Martha Reich, Sommerfeld, Germany.....	Martha Reich.....	1,331,671	F-28-13418-E-1
Margaretha Nagel, Breslau, Germany.....	Margaretha Nagel.....	1,375,553	F-28-15707-E-1
Amanda Pfaffenroth, Gutsa, Germany.....	Amanda Pfaffenroth.....	1,331,674	F-28-13703-E-1
Hulda Kramer, Muehlheim-Ruhr, Germany.....	Hulda Kramer.....	1,334,351	F-28-13332-E-1
Herman Schmitt, Brodersby, Germany.....	Herman Schmitt.....	1,331,691	F-28-22576-E-1
Victoria Widmann, Mengen, Germany.....	Victoria Widmann.....	1,330,137	F-28-12727-E-1
Elis Greth Schwerin 1/1, Germany.....	Elis Greth.....	1,330,741	F-28-2419-E-1
Philippine Forstmeier, Nuernberg, Germany.....	Philippine Forstmeier.....	1,330,632	F-28-25216-E-1
Wilhelmine Strieder, Freundler, Germany.....	Wilhelmine Strieder.....	1,249,343	F-28-12331-E-1
Karl Wech, Germany.....	Karl Wech.....	1,339,727	F-28-12262-E-1

[F. R. Doc. 47-9891; Filed, Nov. 5, 1947; 8:47 a. m.]

[Vesting Order 10064]

SACHTLEBEN

In re: Debt owing to Sachtleben, also known as Sachtleben A. G. F-28-8603-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sachtleben, also known as Sachtleben A. G., the last known address of which is Worthstrasse 34, Cologne, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as

amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany).

2. That the property described as follows: That certain debt or other obligation owing to Sachtleben, also known as Sachtleben A. G., by Eastman Kodak Company, 343 State Street, Rochester 4, New York, in the amount of \$1,016.95, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account



of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-9892; Filed, Nov. 5, 1947;  
8:47 a. m.]

[Vesting Order 10065]

SANKO KABUSIKI KAISYA

In re: Bank account owned by Sanko Kabusiki Kaisya (formerly C. Itoh & Co., Ltd.)

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sanko Kabusiki Kaisya (formerly C. Itoh & Co., Ltd.) the last known address of which is Osaka, Japan, is a corporation, partnership, association or other business organization organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation of Guaranty Trust Company, 140 Broadway, New York, New York, arising out of an account entitled C. Itoh & Company, Ltd.—subject to the authorization of the Alien Property Custodian, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Sanko Kabusiki Kaisya (formerly C. Itoh & Co., Ltd.), the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-9893; Filed, Nov. 5, 1947;  
8:47 a. m.]

[Vesting Order 10066]

KARL SCHMIDT

In re: Bank account owned by Karl Schmidt. F-28-27743-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Schmidt, whose last known address is Strassburger St. 26, Hamburg 43, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of Bay Ridge Savings Bank, 5323 5th Avenue, Brooklyn 20, New York, arising out of a savings account, account number 270546, entitled Gertrude Erstos in trust for Karl Schmidt, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Karl Schmidt, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used,

administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-9894; Filed, Nov. 5, 1947;  
8:48 a. m.]

[Vesting Order 10067]

SHOWA MENKA K. K. ET AL.

In re: Debts owing to Showa Menka K. K. and others. F-39-1631-C-5, F-39-3513-C-1, F-39-209-C-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That (a) Showa Menka K. K., also known as Showa Menka Kabushiki Kaisha and as Showa-Menka-Kabushiki-Kaisha, (b) Nichi-In Goshi-Kaisha and (c) Asahi Menka Shokai, also known as Asahi-Menka-Shokai Cotton Company, the last known addresses of all of which are Osaka, Japan, are corporations, partnerships, associations or other business organizations organized under the laws of Japan, all of which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Japan and all of which are nationals of a designated enemy country (Japan),

2. That the property described as follows:

a. That certain debt or other obligation owing to Showa Menka K. K., also known as Showa Menka Kabushiki Kaisha and as Showa-Menka-Kabushiki-Kaisha, by J. G. Boswell Company, 354 South Spring Street, Los Angeles, California, in the amount of \$255.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Nichi-In Goshi-Kaisha, by J. G. Boswell Company, 354 South Spring Street, Los Angeles, California, in the amount of \$6,410.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation owing to Asahi Menka Shokai, also known as Asahi-Menka-Shokai Cotton Company, by J. G. Boswell Company, 354 South Spring Street, Los Angeles, California, in the amount of \$1,375.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all actions required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 20, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director Office of Alien Property.

[F. R. Doc. 47-9895; Filed, Nov. 5, 1947;  
8:48 a. m.]

#### CAROLYN KENT DI ROBILANT

#### NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return and after adequate provision for taxes and conservatory expenses:

Claimant	Claim No.	Property and Location
Carolyn Kent di Robilant, Venice, Italy.	1761 1762	<p>\$599.31 in the Treasury of the United States. \$22,213.59 in the Treasury of the United States. An undivided <math>\frac{1}{16}</math> interest in an undivided <math>\frac{9}{16}</math> interest in 2 lots in Black Mountain, N. C., described as the Fourth and Fifth Tracts in the deed recorded in the Office of the Register of Deeds, Buncombe County in Book 567 at page 155. An undivided <math>\frac{1}{16}</math> interest in 10 lots, Nos. 45 to 54, Sheet 17, Ward 5, Sand Hill Road, Asheville, N. C., described as the First Tract in the deed recorded in the Office of the Register of Deeds, Buncombe County in Book 567 at page 155. The following securities registered in the name of the Attorney General, presently in custody of the Safekeeping Department of the Federal Reserve Bank of New York:</p> <ol style="list-style-type: none"> <li>1. 23 shares common stock American Telephone &amp; Telegraph Co., \$100 par value.</li> <li>2. 20 shares common stock Consolidated Edison Co., of New York, Inc., without par value.</li> <li>3. 20 shares common stock General Motors Corp., \$10 par value.</li> <li>4. 13 shares common stock Continental Can Co., Inc., \$50 par value.</li> <li>5. 15 shares common stock United States Gypsum Co., \$20 par value.</li> <li>6. 40 shares common stock General Electric Co., without par value.</li> <li>7. 12 shares common stock J. C. Penney Co., without par value.</li> <li>8. 8 shares common stock "B" The American Tobacco Co., \$25 par value.</li> <li>9. 125 shares new class "B" common stock R. J. Reynolds Tobacco Co., \$10 par value.</li> <li>10. 60 shares common stock Wachovia Bank &amp; Trust Co., \$25 par value.</li> <li>11. 6 shares cumulative preferred stock Public Service Corp. of New Jersey, without par value.</li> <li>12. 35 shares \$5 preferred stock General Motors Corp., without par value.</li> <li>13. 20 shares class "A" stock, The Coca Cola Co., without par value.</li> <li>14. \$8,460 maturity value United States Savings Bonds, Series G, 2457.</li> <li>15. \$1,000 par value United States Treasury 5% bond, due 1950-52.</li> <li>16. \$1,500 par value United States Treasury 5% bonds, due 1952-54.</li> <li>17. \$2,000 par value County of Forsyth, N. C., School Building 3% bonds, due 1953-55.</li> <li>18. \$1,000 par value County of Caldwell, N. C., School Building 4% bond, due 1952.</li> <li>19. \$1,000 par value County of Catawba, N. C., School Building 3% bond, due 1954.</li> <li>20. \$1,000 par value American Telephone &amp; Telegraph Co., 5% convertible debenture bond due 1953.</li> </ol>

Executed at Washington, D. C., on October 31, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director Office of Alien Property.

[F. R. Doc. 47-9898; Filed, Nov. 5, 1947;  
8:49 a. m.]

[Vesting Order 10080].

TOMIO FUKUSHIMA

In re: Certain tangible personal property owned by Tomio Fukushima.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tomio Fukushima, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan).

2. That the property described as follows: All that certain tangible personal property owned by Tomio Fukushima, and presently in the custody of the Attorney General, including particularly but not limited to the following:

a. Victrola, used table model; portable, spring-winding; spring-release defective,

b. Bridge table set, square table, red top; four folding chairs with red cushion seats, round; mahogany finish; condition good,

c. Game table, oak-finish, wooden, felt-top, short legs; with four small drawers for chips; condition good,

d. Trunk, foot-locker type, used; condition fair,

e. Motion picture film, 16 mm., developed, in four separate aluminum containers; travel scenes, western United States.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 3, 1947.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director  
Office of Alien Property.

[F. R. Doc. 47-9896; Filed, Nov. 5, 1947;  
8:48 a. m.]

#### DIEDRICH AND ANNA BURGDOFF

#### NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant; Claim No., Property and Location  
Diedrich and Anna Burgdorff, Mastic Beach, Long Island, N. Y., 6063; \$8,834.28 in the Treasury of the United States.

Executed at Washington, D. C., on October 31, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director Office of Alien Property.

[F. R. Doc. 47-9897; Filed, Nov. 5, 1947;  
8:49 a. m.]

